

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Applicant: JUDY GLENNA SHANNON and  
PATRICK WAYNE KLASNO

Serial No: To Be Assigned

Filed: Herewith

For: BOOKMARK

Art Unit: To Be Assigned

Examiner: To Be Assigned

#3/IDS w/ citations  
JOKW  
9/14/02

INFORMATION DISCLOSURE STATEMENT AND DETAILED  
DISCUSSION OF THE REFERENCES IN SUPPORT OF  
PETITION TO MAKE SPECIAL UNDER MPEP §708.02, VIII

Hon. Assistant Secretary of Commerce and  
Assistant Commissioner for Patents  
Washington D.C. 20231

Sir:

1. Preliminary Statements

In support of their petition to make special under MPEP §708.02, VIII, applicants submit herewith a copy of each of the patents of which they are aware on the enclosed Form PTO-1449, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. Applicants also submit a publication which provides background regarding the BOOKMARK.

While this information Disclosure Statement may be "material" pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

2. Detailed Discussion of the References

Each of the references listed on the attached PTO Form-1449 mentions:

U.S. Patent No. 4,934,304 For Novelty Clip.

U.S. Patent No. 4,934,304 discloses a clip useable as a bookmark and which includes, in one embodiment, an animal at the top. There is no thin member which may be used as a bookmark in which separates the upper torso from the lower torso, as in the present invention.

U.S. Patent No. 5,501,171 For Flexible Bookmark With Holder For Writing Instrument.

U.S. Patent No. 5,501,171 discloses a bookmark that can be folded or compressed into a small bundle. The bookmark does not resemble the bookmark of the presently disclosed invention. Rather, the holder of the '171 patent appears to be like a sock.

Des. 38,916 For A Book-Mark Design.

U.S. Design Patent No. 38,916 for a bookmark design discloses a bookmark having the appearance of a teddy bear, but does not have the thin, intermediate member or other structure as disclosed in the present application.

Des. 280,529 For Book Marker Design.

U.S. Design Patent 280,529 shows a bookmark having a comical face at one end, but does not have any corresponding structure at the opposite end of the central bookmark member, as disclosed in the present application.


U.S. Patent No. 5,103,758 For A Bookmark.

U.S. Patent No. 5,103,758 discloses a bookmark having at one end a clip and, at the other end, no additional structure which would serve as an abutment at the opposite end of an intermediate member, and as disclosed in the present application.

3. Fees

No fees are believed to be due, except for the petition fee, 37 CFR §1.17(I). However, please charge Account No. 19-2500 in the event any fee deficiency is determined to apply.

Date: August 19, 1998

  
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